

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

MARIA ALEJANDRA CELIMEN SAVINO,
et al.,

Petitioners-Plaintiffs,

v.

STEVEN SOUZA,

Respondent-Defendant.

Case No. 1:20-cv-10617-WGY

DECLARATION OF LLOYD CARTER WAFULA

I, Lloyd Carter Wafula, declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. My name is Lloyd Carter Wafula. I was born on July 15, 1995 in Kenya. I am currently detained at the Bristol County Jail and House of Corrections. I have been detained in the ICE-B unit at this facility for over eight months.
2. Currently, detainees on the unit occupy every other row of beds, some with detainees on the top and bottom bunks. Because we are assigned to both top and bottom bunks, it is impossible to avoid touching the same surfaces and coming within six feet of other detainees. For example, with our bunk-mates we both have to touch the beds when we are getting in and out, and we both have to sit on the bottom bunk to get our property out from underneath. Whenever someone walks through the aisles next to the beds they come close to people who are lying in bed.
3. For meals, food is brought to the facility by truck and then brought into the unit on a cart. Then, four detainees hand it out to everyone else. One person hands out a tray, one hands out a juice, one hands out bread, and one hands out butter. So, every person's meal has been touched by at least four other people before it gets to them. The juice is poured from a cooler into styrofoam cups and often looks and tastes dirty. People breath and talk over the cups.
4. We eat at shared tables at the end of the room where we all sleep. We all have fifteen minutes to eat our meals, so everyone is sitting at the tables at the same time. There is definitely not six feet between everyone during meals.
5. In order to go to the outside recreational area, the classroom (which has a TV and computer), and the bathrooms, we all have to touch the doorknobs. There is a shared

water fountain that everyone uses. In the bathrooms, we all touch the stall doors, the toilet flush handles, and the faucet knobs. The toilets are just sprayed with Lysol once a day. The showers are all close together and are not cleaned in between uses.

6. Three out of the six showers and six out of eight faucets in the bathrooms are currently working. We all have to wake up at the same time in the morning and have breakfast, so there is no way to avoid being in the bathroom at the same time. The sinks are all very close together so we are standing right next to each other when we wash our hands.
7. There are certain detainees responsible for cleaning the bathroom. The bathrooms are always very dirty, and when we wrote letters with our complaints at the start of the COVID-19 crisis, we asked for more cleaning supplies. We had a meeting with Major Bulgar on or about March 23rd and also brought the issue of inadequate cleaning supplies to her attention.
8. There is also a detainee responsible for doing everyone's laundry, and we are not allowed to wash our own clothes. We leave our dirty laundry in laundry bags. The detainee who washes it mixes several bags together and then separates out the clean laundry and brings it to each person's bunk. We were each given one cloth mask to wear, so we don't have any masks while those are in the wash.
9. When we order commissary, a commissary staff person brings it to the unit and hands it out individually to the detainees. I believe that this staff person goes to all the different units in the facility to hand out commissary. Our mail is distributed by guards who hand us each our mail directly. Also, whenever we run out of napkins or toilet paper, we have to go to the guard's desk and they hand these things to us. The staff delivering commissary and the guards who handle our mail, napkins and toilet paper are often not wearing gloves. Guards have masks now, but they often have them hanging around their necks or on their foreheads.
10. A nurse hands out medication to each detainee individually. We wait in line for medications. Two of the nurses rarely wear gloves when handing out pills. I have raised my concerns about taking pills that were handled by someone not wearing gloves, and been told that gloves are not a requirement.
11. Whenever someone has to leave the ICE unit and go to the main building to visit medical or for an in-person attorney visit, the guards search us and pat us down. They have to get very close to us and touch us at these times. This week I was taken to a medical appointment outside of the facility and although my temperature was taken when I left Bristol, there were no special procedures when I returned to the unit.
12. There are thirteen phones in the unit, eleven of which are working. They are spaced very close together. Especially because there is no visitation now and those of us who have attorneys often have to communicate by phone, the phones are always busy and we are very close together when using the phones. The phones are only disinfected once a day.

13. There is one computer on the unit, which we all have to share for legal research for our immigration cases. Someone is using the computer most of the day. I do not believe the computer has ever been disinfected. The classroom with the computer and where we watch TV is very small, and there are often more than ten people in the room, especially during church.
14. Since the COVID-19 crisis began, the facility installed one station in our unit with hand sanitizer. We ran out of sanitizer this past Friday. We told the guards and they said they would try to have it refilled on Monday. Today is Wednesday and it has still not been refilled.
15. This declaration was read to me in English and I swear that it is true. I have authorized Kelly Morgan, who is my counsel, to sign for me.

Date: April 15, 2020

Signed: Lloyd Carter Wafula (KM)
Lloyd Carter Wafula